IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN AT JODHPUR

CIVIL WRIT No. 4664 of 2005

MANA.COMM.,SRI SARDUL PUSHKARNA SENI.SEC
V/S
STATE & ORS

Mr. PANKAJ GUPTA, for the appellant / petitioner

Mrs. RR KANWAR, A.G.A.) for the respondent
Mr. CS BISSA,)

Date of Order : 2.2.2007

HON'BLE SHRI N P GUPTA,J.

ORDER

The petitioner by this petition seeks a direction to handover the charge of the institution to the managing committee, the appointment of administrator to be quashed, and also to have declared election programme to be quashed.

Vide order Annexure-5 dt. 16.4.2003, Administrator was appointed under Section 10 of the Rajasthan Non Government Educational Institutions Act, 1989. It is recited therein, that notice was given on 24.3.2003 to show cause, as it was felt by the competent authority that the Managing Committee has failed to manage the institution properly, but then the notice was not responded. According to the petitioner the election has been held on 18.8.2002, and the first communication made by the petitioner society to the District Education Officer, after Annexure-5 on 17.2.2004 vide Annexure-7, conveying that the Registrar of

Institutions has approved the election.

Suffice it to say, even at the cost of repetition that long before that, vide Annexure-5 dt. 16.4.2003 Administrator had already been appointed. So far challenge to order of appointment of Administrator is concerned, writ petition was filed on 30.5.2005. As such, it is grossly belated. Apart from the fact that even by then, the term of Administrator has already come to an end. In view of the above, I do not find any error on the part of the Administrator in proceeding with the fresh election of the committee.

Thus, no interference is required to be made in this writ petition. The same is, therefore, dismissed summarily.

(N P GUPTA),J.

/Sushil/